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For further extending the Powers of an Act, for vesting in Commissioners the Bridges building over the *Mensi Straits* and the River *Conway*, and the Harbours of *Hewth* and *Holyhead*, and the Road from *Dublin* to *Hewth*, and for the further Improvement of the Road from *London* to *Holyhead*.

WH ~~HEREAS~~ an Act was passed in the fifty-fifth year of the reign of his late Majesty *George* the Third, intituled, "An Act for granting to His Majesty the sum of Twenty thousand Pounds, to be issued and applied towards repairing Roads between *London* and *Holyhead*, by *Chester*, and between *London* and *Bangor*, by *Sirensbury*;" and by the said Act certain Commissioners were appointed for carrying the same into execution: Preamble: 55 Geo. 3.

And whereas an Act was passed in the fifty-ninth year of the reign of his late Majesty King *George* the Third, intituled, "An Act to amend an Act passed in the fifty-fifth year of His present Majesty, for granting to His Majesty the sum of Twenty thousand Pounds, towards repairing Roads between *London* and *Holyhead*, by *Chester*, and between *London* and *Bangor*, by *Sirensbury*, and for giving additional Powers to the Commissioners therein named, to build a Bridge over the *Mensi Straits*, and to make a new Road from *Bangor* to *Ferry* to *Holyhead*, in the County of *Anglesea*:" 55 Geo. 3.

And whereas an Act was passed in the fourth year of the reign of His present Majesty, intituled, "An Act for vesting in Commissioners the Bridges now building over the *Mensi Straits* and the River *Conway*, and the Harbours of *Hewth* and *Holyhead*, and the Road from *Dublin* to *Hewth*, and for the further Improvement of the Road from *London* to *Holyhead*:" 4 Geo. IV.

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" *London to Holyhead* ;" and by the said Act certain Commissioners have been appointed for carrying the same into execution, and various Powers have been given to the said Commissioners :

And whereas an Act was passed in the sixth year of the reign of His present Majesty, intituled, " An Act to extend the Powers of an Act
" for vesting in Commissioners the Bridges building over the *Menai*
" *Straits* and the River *Carnoy*, and the Harbours of *Hozeth* and
" *Holyhead*, and the Road from *Dublin* to *Hozeth*, and for the further
" Improvement of the Road from *London* to *Holyhead* :"

And whereas it would be of great Public Benefit, if the Commissioners
of His Majesty's Treasury were authorized to advance to the Com-
missioners for carrying into execution the said Act of the fourth year of the
reign of His present Majesty, such Sum of Money as is hereinafter men-
tioned, to enable them to make other Alterations and Improvements in
the Line of the Road from *London* to *Holyhead*, hereinafter mentioned :

May it therefore please Your MAJESTY,

That it may be Enacted; And be it Enacted by The KING's most
Excellent MAJESTY, by and with the advice and consent of the Lords
Spiritual and Temporal, and Commons, in this present Parliament
assembled, and by the authority of the same, THAT it shall and may
be lawful to and for the said Commissioners of His Majesty's Treasury,
or any Three or more of them, and they are hereby authorized, if they
shall think proper so to do, on application being made to them by the
said Commissioners for carrying into execution the said recited Act of
the fourth year of the reign of His present Majesty, by warrant or
or warrants under their hands, to direct the Auditor of the Receipt of His
Majesty's Exchequer to make forth and pass debentures from time to
time, for issuing out of the growing produce of the consolidated fund, to
the said Commissioners for carrying into execution the said Act of the
fourth year of His present Majesty's reign, any sum or sums of money
not exceeding in the whole the sum of
for the
purposes and upon the terms and conditions hereinafter mentioned.

Treasury may
advance
Money.

Commission-
ers of a G. T.
thereupon to
execute an
Instrument
acknowledg-
ing advance,
and undertak-
ing to apply
the same as
before direct-
ed.

And be it further Enacted, That upon any such advance being made
to the said Commissioners, for carrying into execution the said recited
Act of the fourth year of the reign of His present Majesty, the said
last mentioned Commissioners, or any Three of them, shall execute an
instrument in writing, in such form as the said Commissioners of His
Majesty's Treasury shall direct and appoint, in which instrument the
said Commissioners for carrying into execution the said recited Act of
the fourth year of the reign of His present Majesty, shall acknowledge
the receipt of the money for the time being advanced, and shall under-
take

take to apply the produce thereof in the manner in which the same ought to be applied, in pursuance of the directions hereinafter contained, and shall also undertake to pay the same, and the interest thereof, when and as the same shall be received by them, under the provisions hereinafter contained, into the Exchequer, to the account of the consolidated fund, as hereinafter directed, and shall also undertake to put in force, if necessary, the several powers and remedies hereinafter given them for obtaining payment thereof.

And be it further Enacted, That the Commissioners acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, shall apply the sums to be so advanced in the manner following; (that is to say,) any sum not exceeding the sum of

Advances to be applied in making New Roads specified.

in making and completing a new cut or piece of Road, leaving the present Road from *London to Holyhead*, in the town of *Barnet*, and falling into the same Road again at *South Mimms*, the same being within the limits and district of the *Saint Albans* trust; any sum not exceeding the sum of

in making and completing a new cut or piece of Road, leaving the present Road from *London to Holyhead*, at a place called *Whitley Bridge*, and falling into the same Road again at the village of *Aldeney*, the same being within the limits and district of the *Dan church and Stone Bridge* trust; any sum not exceeding the sum of

in making alterations and improvements in the Road from *London to Holyhead*, between *Tonchester and Stone Hill*, the same being within the limits and district of the *Dan church and Stratford* trust, and in repairing the new piece of Road which will be formed in making such alterations and improvements, for the period of two years after the same shall have been completed; any sum not exceeding the sum of

in lowering the hill called *Overy Hill*, in the said Road from *London to Holyhead*, the same being within the limits and district of the *Wallington* district of the *Watling Street* Road, and in repairing the new piece of Road which will be formed by lowering the said hill, for the period of two years after the same shall have been completed; and any sum not exceeding the sum of

in completing the new cut or piece of Road commencing at or near the *Peasen Inn*, in the town of *Saint Albans*; which said cut or piece of Road is within the limits of the said *Saint Albans* trust, and in repairing the same, for the period of two years after the same shall have been completed, and in making the new Branch or Communication Road directed to be made in lieu of *Kingsbury Lane*, in and by the said recited Act of the sixth year of the reign of His present Majesty.

And be it further Enacted, That in case it shall be found that any sums which shall have been advanced, in pursuance of the directions hereinbefore

specified, it may, to be applied in making other

Improvements within the same Trust.

hereinbefore contained, by the said Commissioners of His Majesty's Treasury, to the said Commissioners acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, shall be more than is required for the purposes for which the same shall have been advanced, the surplus thereof shall be applied by the said last-mentioned Commissioners, in making such other improvements as they shall think proper, on any part of the said Road from *London to Holyhead*, which shall be within the same trust.

Powers of former Act extended to this, and power of purchasing Lands.

And be it further Enacted, That all the powers and authorities given by the said recited Act of the fourth year of the reign of His present Majesty, to the said Commissioners acting in execution thereof, either expressly or by reference to former Acts, and all the clauses and provisions therein mentioned, or such of the said clauses and provisions as are in any manner applicable to the purposes of this Act, shall be and they are hereby extended, in such manner as that the said Commissioners acting in execution of the said last mentioned Act, shall be enabled to make the alterations and improvements hereinbefore directed to be made, and shall have all facilities and advantages for enabling them to make the same, as fully amply and effectually, to all intents and purposes whatsoever, as if the same powers, authorities, clauses and provisions were repeated and re-enacted in and by this present Act, with reference to the said alterations and improvements, and particularly, that the said last mentioned Commissioners shall have the same power of taking and acquiring any ground or materials which may be required for the purpose of making the said alterations and improvements, as in and by the said recited Act of the fifty-fifth year of his late Majesty King George the Third, is given to the Commissioners acting under that Act, of taking and acquiring any such ground or materials as may be necessary, for repairing, altering, making or constructing the Roads in that Act mentioned or referred to, and all the clauses and provisions contained in the said recited Act of the fifty-fifth year of the reign of his late Majesty King George the Third, with respect to the taking or acquiring of any ground or materials, to be so taken or acquired by the Commissioners acting under that Act, shall be and they are hereby extended and made applicable to the acquiring or taking by the said Commissioners, acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, of any ground or materials which may be required for the purpose of making the alterations and improvements hereinbefore mentioned.

Power to take down Houses in Schedule, on giving Notice, and restoring Site thereon.

AND whereas, for the purpose of making several of the alterations and improvements hereinbefore directed to be made, it will be expedient and necessary to take down and remove the houses described in the Schedule to this Act annexed, and to take and make use of the gardens, lawns, orchards and grounds attached to such houses, or specified and described

described in the said Schedule; BE it therefore further Enacted, That it shall and may be lawful for the said Commissioners acting in execution of the said Act of the fourth year of the reign of his present Majesty, to take down and remove all or any of the houses described in the said Schedule to this Act annexed, and also to take and make use of any of the gardens, lawns, orchards or grounds attached to such houses, so described in the said Schedule, if they shall deem it necessary or expedient to remove, take, or make use of the same, for the purpose of making the alterations and improvements in this Act mentioned; but the said last mentioned Commissioners, previously to their removing or taking any such houses, gardens, lawns, orchards or grounds, shall give months notice in writing to the occupier or occupiers thereof, of their intention so to do, and shall also first make such satisfaction to the owner or owners, occupier or occupiers of such house or houses, gardens, lawns, orchards or grounds, as shall be agreed upon between him, her or them, and the said last mentioned Commissioners, or as shall be ascertained by a jury, in the manner hereinafter directed.

Provided always, and be it further Enacted, That if any of the houses mentioned and described in the said Schedule to this Act, or any of the persons in whose possession or occupation the same, or any part thereof, are or is stated or described to be, shall happen to be omitted misnomered or inaccurately described, then and in such case, if it shall appear to any two or more of His Majesty's Justices of the peace for the county, city or place wherein the same shall be situated, and be certified by writing under their hands, that such omission misnomer or inaccurate description proceeded from mistake, shall not prevent or retard the execution of this Act, but the same premises and every part thereof, shall and may be purchased and sold, or assessed and valued, in manner herein mentioned, and conveyed, disposed of and applied for, to and for the purpose of making the alterations and improvements hereinbefore mentioned, as fully and effectually as if the same was or were properly named and described in the said Schedule.

Provision
against mis-
description of
houses.

And be it further Enacted, That it shall and may be lawful for all bodies politic corporate or collegiate, whether ecclesiastical or civil, and for all corporations aggregate or sole, and for all tenants in fee simple, and in fee tail, whether general or special, and for all tenants for life, or for years determinable on any life or lives, whether their respective estates shall be in possession, reversion, remainder, expectancy, contingency or otherwise, and for all husbands, guardians, trustees and feoffees in trust for charitable or other purposes, committees, executors and administrators, and all other trustees and persons whomsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of their cestui que trusts, whether infants, issue unborn, lunatics, idiots, females covert, or other person or persons, and for all

Bodies Politic
and incorpo-
rated Pro-
cesses empow-
ered to sell

femes covert, who are or shall be seised or possessed of, or interested in in their own right, or entitled to dower or other interest therein, and for all other persons whomsoever, who are or shall be seised, possessed of, or interested in any of the said houses, specified in the Schedule to this Act annexed, or any of the gardens, lawns, orchards or grounds attached to such houses, or specified and described in the said Schedule, to contract for, lease, sell and convey the same, or any part thereof, to the said Commissioners acting under the said recited Act of the fourth year of the reign of His present Majesty; and all such contracts, agreements, leases, sales, conveyances and assurances, shall be made at the expense of the said Commissioners, and shall be kept by the clerk or clerks to the said Commissioners, who shall from time to time, when requested, deliver attested copies thereof to any person or persons interested therein, requiring the same, and shall have and receive for every words of each such attested copy; and so in proportion for any less number of words; and every such contract, agreement, lease, sale, conveyance and assurance, shall be valid and effectual to all intents and purposes whatsoever; any law, statute, usage or custom to the contrary thereof in any wise notwithstanding.

Satisfaction to be made.

Provided always, and be it further Enacted, That all and every bodies politic corporate or collegiate, ecclesiastical or civil, and tenant and tenants for life, and tenant and tenants in fee simple or fee tail, general or special, or for years determinable on any life or lives, whether in possession, remainder, reversion, expectancy or otherwise, and all feoffers in trust, executors, administrators, femes covert, husbands, guardians, committees, trustees, and all and every other person or persons, who is, are or shall be seised possessed of or interested in any of the said houses, gardens, lawns, orchards or grounds, may accept and receive satisfaction for the value of such houses, gardens, lawns, orchards or grounds, or for any damage to be occasioned thereto; and in case the said parties interested, or any of them, and the said Commissioners cannot agree as to the amount of such satisfaction, the same shall be settled and ascertained as is hereinafter directed.

If Parties dissatisfied, a Jury to be impanelled to decide the matter.

Provided always, and be it further Enacted, That if any such body politic corporate or collegiate, or any feoffee or feoffees in trust, executors, administrators, husbands, guardians, trustees, committee, or any feme covert, or any other person or persons so interested or entitled as aforesaid, or claiming to be so interested or entitled as aforesaid, cannot agree with the said Commissioners acting under the said recited Act of the fourth year of the reign of His present Majesty, respecting the purchase of the said houses, gardens, lawns, orchards or grounds, or respecting the compensation to be made for any damages to be occasioned thereto, and shall give notice in writing to the clerk of the said Commissioners

missioners, requiring a jury to be summoned for the purpose of deter-
 mining such purchase or compensation ; or if any body politic corporate
 or collegiate, or any person or persons so interested or entitled as afore-
 said, or claiming to be so interested or entitled as aforesaid, shall upon
 5 notice in writing given by the clerk of the said Commissioners, to the
 principal officer of any such body politic corporate or collegiate, or to such
 officer or officers in trust, executors, administrators, husband, guardian,
 trustee, committee or other person or persons so interested or entitled
 as aforesaid, or claiming to be so interested or entitled as aforesaid re-
 10 spectively, or left at the last or usual place or places of his her or their
 abode, or with the tenant or tenants, occupier or occupiers of houses or
 other hereditaments to be made use for the purposes aforesaid, for the space
 of days next after such notice, neglect or refuse to treat, or shall
 not agree with the said Commissioners, or cannot be found, or by reason
 15 of absence or otherwise shall be prevented from treating, or through
 disability by nonage coverture or other impediment cannot treat for
 themselves, or make such agreement or agreements as shall be necessary
 for the purposes aforesaid, or shall not within the before mentioned space
 of days, produce and fully disclose the state of the title to
 20 the premises which he she or they respectively may be possessed of, or
 claim to be entitled to or interested in, or shall not within the before
 mentioned space of days be able to make a good title to
 the satisfaction of the said Commissioners, to the premises which he she
 or they may be so interested in or entitled to, or may claim to be so inter-
 25 rested in or entitled to, then and in every such case the said Commis-
 sioners shall, and they are hereby empowered and required, within
 days after the receipt of such notice by the clerk of
 the said Commissioners, in case security in manner herein required
 shall be given, or after the expiration of days after the
 30 delivery of such notice by the said clerk (as the case may be), to issue a
 warrant under their hands, directed to the sheriff or under-sheriff of the
 county city or place wherein such houses, gardens, lawns, orchards or
 grounds shall be situate ; and in case the said sheriff or his under-sheriff
 shall be interested in the matter in question, then to any one of the
 35 coroners of the county who shall not be interested as aforesaid ; and
 in case all the said coroners of the county shall be so interested as
 aforesaid, then to the last person or persons who filled the office of
 sheriff of the county city or place, wherein such houses, gardens, lawns,
 orchards or grounds shall be situate, who shall not be interested as afore-
 40 said, commanding such sheriff, under-sheriff, coroner or such other
 person, to impanel summon and return a jury ; and the said sheriff,
 under-sheriff, coroner, or such other person or persons, is and are hereby
 required accordingly to impanel summon and return a jury of
 honest sufficient and indifferent men, qualified according to the laws of
 this realm, to be returned for the trials of issues at the assizes, to appear
 before the sheriff, under-sheriff, coroner, or such other person or persons,

at such time and place as in such warrant shall be appointed, such time not being less than _____ or more than _____ days after such warrant shall be served upon the said sheriff, under-sheriff, coroner, or of such other person or persons; and _____ days notice at least, in writing under the hands of the Commissioners, or any _____ or more of them, is hereby required to be given to such owners, proprietors, occupiers, corporations, trustees, or any other person or persons as aforesaid, interested or claiming to be interested in any such houses or other hereditaments, or to be left at the respective dwelling-houses or places of abode of such person or persons, or of the head officer or officers of such corporation, or at the house of the tenant in possession of such houses or other hereditaments, of the time and place of the said jury being so impanelled summoned and returned; and the said sheriff, under-sheriff, coroner, or such other person or persons, is and are hereby required, out of the persons so impanelled summoned and returned, or out of such of them as shall appear upon such summons, to swear or cause to be sworn _____ who shall be the jury for the purposes aforesaid; and in default of a sufficient number of jurymen, the said sheriff, under-sheriff, coroner, or such other person or persons, shall return other honest, sufficient and indifferent men of the standers-by, or that can speedily be procured to attend that service (being qualified as last aforesaid), to make up the said jury to the number of _____ and it shall and may be lawful for all persons concerned, by themselves, their counsel and solicitors, to attend and be heard, and to adduce evidence before the said sheriff, under-sheriff, coroner, or such other person or persons respectively; and such persons shall also have their lawful challenges against any of the said jurymen when they come to be sworn, but shall not challenge the array; and the said sheriff, under-sheriff, coroner, or such other person or persons, is and are hereby required, by a summons or notice to be signed by such sheriff, under-sheriff, coroner, or such other person or persons, either previous to or at the time of any such meeting or meetings, to call before them all and every person or persons who shall be thought necessary and proper to be examined as a witness or witnesses upon oath, touching and concerning the premises; and the said sheriff, under-sheriff, coroner, or such other person or persons, may order and authorize the said jury, or any _____ or more of them, to view the place or places, or matter or matters in question, if there be occasion, or to use all other lawful ways and means, as well for his and their own as for the jury's better information in the premises, as the said sheriff, under-sheriff, coroner, or such other person or persons shall think fit; and the said jury shall upon their oaths, which oaths, as well as the oaths to such person or persons as shall be called upon as witnesses, the said sheriff, under-sheriff, coroner, or such other person or persons, is and are hereby empowered and required to administer, inquire of and ascertain the sum of money to be

be paid for the purchase of such houses or other hereditaments; or as compensation for the damages to be occasioned thereby, as the case may require; and after the said jury shall have inquired of and ascertained and settled the amount of such purchase money or compensation, the said
 5 sheriff, under-sheriff, coroner, or such other person or persons, shall thereupon order the sum or sums of money so assessed by the said jury to be paid by the said Commissioners, for the purchase of such houses or other hereditaments, or as a compensation for the damages to be occasioned
 10 thereto, according to such verdict or inquisition of the said jury, and shall give judgment for such purchase money or compensation money; which said judgment shall specify the hereditaments in respect of which the same shall be given, and shall be signed by the said sheriff, under-sheriff, coroner, or such other person or persons, and shall be final
 15 binding and conclusive to all intents and purposes, upon and against all parties and persons whomsoever, claiming any estate, interest or trust in fee simple or fee tail, for life or lives in possession, reversion, remainder or expectancy, or otherwise, their heirs, successors, executors and administrators, infants, issue unborn, feme covert, persons beyond
 20 the seas, and under any other disability whatsoever, bodies politic ecclesiastical or collegiate, ecclesiastical or civil, corporations aggregate or sole; as well as all other persons whomsoever, and shall not be removed by writs of error or other process into any of His Majesty's courts of record at Westminster, or any other court, any law or statute to the contrary
 25 thereof notwithstanding; and after any verdict and judgment shall have been found and given for the sum to be paid by the said Commissioners, for the purchase of any of the aforesaid houses, gardens, lawns, orchards or grounds, no person or persons, or body or bodies corporate what-
 30 soever, shall be at liberty to question or dispute the propriety or validity thereof, or to inquire whether the notices hereby required to be given were or not properly and duly given, or whether any of the other requisite terms were or not properly complied with, or whether the jury by whom such verdict was found, or not properly summoned, impar-
 35 tial and constituted, or whether the said judgment was or not given and signed by the proper officer, or whether the circumstances of the case were such as made it necessary or proper for such verdict and judgment to be found and given, but the several matters aforesaid shall be inquired into and ascertained by the officer by whom such judgment shall be signed, before the same shall be signed.

And be it further Enacted, That in all cases where a jury shall,
 40 under the provisions herein contained, assess the sum or sums of money to be paid for the purchase of or as a compensation for damages occasioned to any houses or other hereditaments, in which any person or persons shall have a particular estate, term or interest, the said jury shall by their verdict settle what share or shares of such sum or sums

Interest of
particular
Tenants to be
valued.

of money shall belong to such person or persons, in respect of such particular estate, term or interest.

Persons re-
quiring a
jury, to give
Security.

Provided always, and be it further Enacted, That all and every body or bodies, and person or persons, requesting a jury to be summoned as aforesaid, shall, before the said Commissioners shall issue their warrant for that purpose, enter into a bond with sufficient sureties to the clerk of the said Commissioners, in a penalty of with a condition to bear and pay the costs and expenses of summoning such jury and taking such verdict, in case he she or they shall be liable to bear and pay the same, under the provisions hereinafter contained.

Penalty on
Sheriff or
other officer
for neglect.

And be it further Enacted, That if any sheriff, under-sheriff, coroner, or such other person, so directed to impanel summon and return a jury, as aforesaid, or his deputy or agent, shall make default in the premises, he shall for every such offence forfeit and pay the sum of to be recovered by action of debt, or on the case, in any of His Majesty's courts of record at Westminster, by the said Commissioners, or by such bodies politic corporate or collegiate, ecclesiastical or civil, or any other person or persons interested in the matter in question; and if any person so impanelled summoned and returned, as aforesaid, upon such jury, shall not appear, without some reasonable excuse, nor appearing shall refuse to be sworn on the said jury, or being so sworn, shall refuse to give or shall not give his verdict, or shall in any other manner wilfully neglect his duty therein, contrary to the true intent and meaning of this Act, he shall be liable and subject to the same regulations and to the same pains and penalties for such default, as if he had been impanelled summoned and returned for the trial of any issue at the assizes; and if any person so summoned and required to give evidence before the said jury, touching the premises, after having been paid or tendered a reasonable sum for his her or their costs and expenses, shall neglect or refuse to appear, or shall not allege a sufficient excuse to the said sheriffs, under-sheriffs, coroner, or such other person or persons for not appearing, or appearing, shall refuse to be sworn or examined, or to give evidence, then and in every such case, every such person so offending, upon proof thereof made before one of His Majesty's Justices of the peace for the county in which the matter or question shall arise, upon the oath of one or more credible witness or witnesses, shall for every such offence forfeit and pay any sum not exceeding according to the discretion of the said Justice.

as Jurors not
attending,
&c.

as Witnesses
not attending,
&c.

For punishing
Persons
swearing
falsely.

And be it further Enacted, That every person who in any examination to be taken upon oath by virtue of this Act, shall wilfully and corruptly give false evidence, or otherwise forswear himself or herself before any such

any such jury, or before any Justice of the peace acting as such in the execution of this Act, shall and may be prosecuted for the same, and upon conviction thereof, shall be subject and liable to such and the same pains and penalties as persons guilty of are by the laws in being subject and liable to.

And be it further Enacted, That the said Commissioners shall not be obliged or allowed by virtue of this Act, to receive or take notice of any claim or claims, complaint or complaints to be made by any person or persons whomsoever, for any injury or damage by him her or them sustained, or supposed to be sustained, unless notice shall have been given thereof, by or on behalf of such person or persons, to the clerk of the said Commissioners, within the space of calendar months next after the time that such supposed injury or damage shall have been sustained, or the doing or committing thereof shall have ceased.

No claim for
damages to be
sustained,
unless notice
thereof be
given within
months

And be it further Enacted, That in each and every case where a verdict shall be given for more money as a recompence or satisfaction for the absolute sale of any of the said houses, gardens, lawns, orchards and grounds, or as a compensation for any damages done or to be done thereto, than had been previously offered by or on behalf of the said Commissioners, or where any verdict shall be found for any damages, where the dispute is for damages only, and where no compensation, or a smaller sum than shall be given by such verdict, shall have been previously offered or tendered in respect thereof, by or on behalf of the said Commissioners, or where, by reason of absence in foreign countries, or other impediment or disability as aforesaid, there shall not be found any person or persons at hand who shall be legally capacitated to enter into a contract with, and make conveyances to, and receive compensation from the said Commissioners, as hereinbefore mentioned, then and in all such cases, all the expense of impannelling summoning and returning such jury, and taking such verdict, shall be settled by the said sheriff, under-sheriff, coroner, or such other person or persons so impannelling summoning and returning such jury, and taking such verdict as aforesaid, and be defrayed by the said Commissioners; but if any verdict shall be given for the same sum as had been previously offered by or on behalf of the Commissioners, or for a less sum than had been so previously offered, or for damages not exceeding or to case no verdict for

Expenses of
Jury, and
Witnesses,
by whom to
be paid.

damages shall be given, where the dispute is for damages only, or to case of such refusal or neglect to enter into treaty with, or make conveyances to, or receive compensation from the said Commissioners; or in case the person or persons claiming to be entitled to or interested in any of the said houses, orchards, gardens, tenements or hereditaments, shall not be able to make out a sufficient title thereto, then and in all such cases (except where by reason of absence or other-

21st, any person or persons shall have been prevented from treating or
 agreeing as aforesaid), then such costs and expenses of imprisoning,
 summoning and returning such jury, and taking such verdict, shall be
 borne and paid by the body or bodies politic corporate or collegiate,
 ecclesiastical or civil, or other person or persons as aforesaid, and
 deducted out of the same or sums so assessed or adjudged, and the pay-
 ment or tender, or deposit of the remainder of such sum or sums, shall
 be deemed and taken to all intents and purposes to be a payment or
 tender, or deposit of the whole sum or sums so assessed and adjudged;
 and in case no damages shall be given by such verdict, when the dispute
 is for damages only, or if the damages given shall be insufficient for the
 purpose of defraying such costs and expenses, then such costs and
 expenses, after having been so ascertained and settled as aforesaid,
 shall and may be recovered by the said Commissioners, by such ways
 and means as are herein provided for the recovery of any penalty or
 forfeitures imposed by this Act.

Lands, &c. to
 be vested in
 Commissioners, on
 payment or
 tender of
 value.

And be it further Enacted, That upon payment or legal tender of the
 sum or sums of money which shall have been contracted and agreed for
 between the parties, or which shall have been assessed and adjudged as
 aforesaid, to be the sum or sums of money to be paid by the said Com-
 missioners, for the purchase of any of the said houses, gardens, lawns,
 orchards or grounds, or as a compensation for damages to be occasioned
 thereto, to the proprietor or proprietors thereof, or to such other person
 or persons as shall be interested therein, or entitled to receive such pur-
 chase money, or his her or their agent or agents, at any time after the
 same shall have been actually so agreed for or adjudged, or upon
 depositing the same in the Bank of England, in manner hereinafter
 directed, it shall and may be lawful for the same Commissioners and their
 agents, servants and workmen, immediately to enter upon the houses or
 other hereditaments, in respect of which such sum or sums of money
 shall have been so paid tendered or deposited, together with the yearly
 profits thereof; and in case such sum or sums shall have been so paid
 tendered or deposited, for the purchase of such houses or other heredita-
 ments, then and immediately upon such payment tender or deposit
 being made, the fee-simple and inheritance of the same houses or other
 hereditaments shall become vested in the said Commissioners, and all
 other estates, uses, trusts and interests whatsoever, of and in such
 houses or other hereditaments, shall immediately cease, determine and
 be void.

Verdicts and
 judgments to
 be recorded.

And be it further Enacted, That the said judgments and verdicts so
 given shall be transmitted to, and be kept by the respective clerks of
 the peace, or other person or persons having the custody of the records
 of the quarter sessions of the county where such verdict shall have been
 given, and shall be deposited with and be deemed records of such quarter
 sessions

sions respectively, to all intents and purposes, and the same or true copies thereof shall be allowed to be good evidence in all courts whatsoever, and all persons shall have liberty to inspect the same, paying for such inspection the sum of _____ or to have

5 copies thereof, paying for every copy the sum of _____ for every _____ words, and so in proportion for any greater or less number of words.

And be it further Enacted, That if any money shall be agreed or awarded to be paid for any of the said houses, gardens, lawns, orchards or grounds, which shall belong to any corporation, feme covert, infant, lunatic, or any other person or persons under any other disability or incapacity, such money shall, in case the same shall amount to or exceed the sum of Two hundred pounds, with all convenient speed be paid into the Bank of England, in the name and with the privity of the Accountant General of the court of Exchequer, to be placed to his account there, *ex parte* the body corporate, or person or persons to whom the same shall belong, pursuant to the method prescribed by an Act passed in the first year of the reign of His present Majesty, intituled, "An Act for the better securing Moneys and Effects paid into the Court of Exchequer at Westminster, on account of the Suitors of the said Court, and for the Appointment of an Accountant General and two Masters of the said Court, and for other purposes," and the general orders of the said court, and without fee or reward, to the intent that such money shall be applied under the direction and with the approbation of the said court, to be signified by an order made upon a petition to be preferred in a summary way by the body corporate or other person or persons who would have been entitled to the rents and profits of the said houses, gardens, orchards, tenements or hereditaments, in the purchase of the land-tax, or towards the discharge of any debt or debts, or such other incumbrance, or part thereof, as the said court shall authorize to be paid, affecting the same houses, gardens, orchards, tenements or hereditaments, or affecting lands tenements or hereditaments standing settled therewith, to the same or the like uses intents or purposes, or where such money shall not be applied, then the same shall be laid out and invested, under and with the like direction and approbation of the said court, in the purchase of other lands tenements or hereditaments, which shall be conveyed and settled to for and upon such and the like uses, trusts, intents and purposes, and in the same manner as the houses, gardens, orchards, tenements and hereditaments, which shall be so purchased taken or used as aforesaid, stood settled or limited, or such of them as at the time of making such conveyance or settlement shall be existing undetermined or capable of taking effect; and in the mean time and until such purchase shall be made, the said money shall, by order of the said court of Exchequer, upon application thereto, be invested by the said Accountant General in his name, in the purchase of Three pounds per centum consolidated, or Three pounds

Application
of Compensation
Money,
if exceeding
\$500

per centum reduced Bank annuities, and in the mean time and until the said Bank annuities shall be ordered by the said court to be sold for the purposes aforesaid, the dividends and annual produce of the said consolidated or reduced Bank annuities, shall from time to time be paid by order of the said court, to the person or persons who would for the time being have been entitled to the rents and profits of the said houses, gardens, orchards, tenements and hereditaments, so to be purchased under the authority of this Act, in case such purchase or settlement was made.

*Application
of Com-
pensation
Money, when
less than 100*l*.
and exceeding
20*l*.*

Provided always, and be it further Enacted, That if any money so agreed or awarded to be paid for any of the said houses, gardens, orchards, tenements or hereditaments, and belonging to any corporation, or to any person or persons under disability or incapacity as aforesaid, shall be less than the sum of Two hundred pounds, and shall amount to or exceed the sum of Twenty pounds, then and in all such cases the same shall, at the option of the person or persons for the time being entitled to the rents and profits of the houses, gardens, orchards, tenements or hereditaments, or of his her or their guardian or guardians, committee or committees, in case of infancy or lunacy, to be signified in writing under their respective hands, to be paid into the Bank of England, in the name and with the privity of the said Accountant General of the court of Exchequer, and to be placed to his account as aforesaid, in order to be applied in manner hereinbefore directed, or otherwise the same shall be paid at the like option to trustees, to be nominated by the person or persons making such option, and approved of by or more of the said Commissioners for executing the said Act of the fourth year of the reign of His present Majesty, such nomination and approbation to be signified in writing, under the hands of the nominating and approving parties, in order that such principal money and the dividends arising thereon may be applied in manner hereinbefore directed, as far as the case be applicable, without obtaining or being required to obtain the direction or approbation of the said court of Exchequer.

*Application
of Compensation
Money
where less
than 20*l*.*

Provided also, and be it further Enacted, That where such money so agreed or awarded to be paid as next before mentioned shall be less than Twenty pounds, then and in all such cases the same shall be applied to the use of the person or persons who would for the time being have been entitled to the rents and profits of the said houses, gardens, tenements or hereditaments, in such manner as the said Commissioners for executing the said recited Act of the fourth year of the reign of His present Majesty shall think fit, and in case of infancy or lunacy, then to his her or their guardian or guardians, committee or committees, to and for the use and benefit of such person or persons so entitled respectively.

And

In case of not
making out a
good Title,
&c.

And be it further Enacted, That in case a good title cannot be made to any of the houses, orchards, gardens, lawns or grounds, for the purchase of which, or as a compensation for damages occasioned, for which any sum or sums of money shall be assessed and judged as aforesaid, or in case the person or persons entitled thereto cannot be found, or shall not be known or discovered, or shall refuse to accept the same, then and in every such case, it shall be lawful for the said Commissioners to order the said sum or sums of money so awarded as aforesaid, to be deposited in the Bank of England, in the name and with the privity of the Accountant General of the court of Exchequer, to be placed to his account, to the credit of the parties interested in the said houses or other hereditaments, if known, and if not known, then to the credit of the said Commissioners, subject to the order control and disposition of the said court of Exchequer, and the person or persons, who previous to the payment of such sum or sums of money into the Bank of England, was or were interested in or entitled to the houses or other hereditaments, for which the same was or were assessed or adjudged, shall have the same title and interest to and in such sum or sums of money, as he she or they had in the said houses or other hereditaments, for the purchase of which, or for damages to which the same was or were assessed, or as near thereto as the nature and quality of the different properties will allow; and the said court of Exchequer, on the application of any person or persons making claim to such sum or sums of money, or any part thereof, by motion or petition, shall be and is hereby empowered in a summary way of proceeding or otherwise, as to the said court shall seem fit, to order the same to be laid out and invested in the public funds, and order distribution thereof, or payment of the dividends thereof, according to the respective estate or estates, title or interest of the person or persons making claim thereunto, and to make such other order in the premises as to the said court shall seem just and reasonable; and the cashier or cashiers of the Bank of England, who shall receive any sum or sums of money under or in pursuance of this Act, is and are hereby required to give a receipt or receipts to the person or persons paying the same, specifying the sum or sums received, and for or in respect of what houses or other hereditaments, the same shall be paid, and to whose credit the same is to be placed.

Provided always, and be it further Enacted, That where any dispute shall arise touching the title of any person or persons to any money to be paid into the Bank of England, in the name and with the privity of the Accountant General of the court of Exchequer, in pursuance of this Act, for the purchase of or as satisfaction for damages occasioned to any houses or other hereditaments, or any estate right or interest in any houses or other hereditaments to be purchased taken or used in pursuance of this Act, or to any Bank annuities to be purchased with any such money, or to the dividends or interest of any such Bank annuities, the person or persons

In case of disputed Titles,
&c. persons in
possession to
be deemed
lawfully entitled.

who shall have been in possession of such houses or other hereditaments at the time when the same were taken or entered upon by the said Commissioners, and all persons claiming under such person or persons, shall be deemed and taken to have been lawfully entitled to such lands tenements or hereditaments, according to such possession, until the contrary shall be shown to the satisfaction of the said court of Exchequer; and the dividends or interest of the Bank annuities to be purchased with such money, and all the capital of such Bank annuities, shall be paid applied and disposed of accordingly, unless it shall be made appear to the said court, that such possession was a wrongful possession, and that some other person or persons was or were lawfully entitled to such houses or other hereditaments, or to some estate or interest therein.

Court may order reasonable Expenses to be paid out of Trust Monies.

Provided always, and be it further Enacted, That where by reason of any disability or incapacity of the person or persons, or body or bodies politic or corporate, entitled to any lands tenements or hereditaments to be purchased taken or used under the authority of this Act, the purchase money for the same shall be required to be paid into the Bank of England, and be applied in the purchase of other lands tenements or hereditaments, to be settled to the like uses in pursuance of this Act, it shall be lawful for the said court of Exchequer to order the expenses of all purchases from time to time to be made in pursuance of this Act, or so much of such expenses as the court shall deem reasonable, to be paid out of the purchase money to be so paid into the Bank of England.

Lammas Land to be conveyed free from common rights.

AND whereas part of the land which will be required for making and completing the new cut or piece of Road from *Witley Bridge* to the village of *Allesley*, hereinbefore mentioned, is called *Lammas Ground*, over which the freemen of the city of Coventry have a right of common from Old Lammas day until Old Candlemas day; BE it therefore Enacted, That a conveyance of such Lammas Ground by the person or persons who shall for the time being be entitled to the fee simple and inheritance thereof, subject to such right of common, shall be a good and sufficient conveyance thereof to the said Commissioners, acting under the said recited Act of the fourth year of the reign of His present Majesty, for the purpose of vesting in them the fee simple and inheritance thereof, for the purposes of this Act, freed from such right of common as fully and effectually as if every person having right of common thereon had executed such conveyance; and it shall be lawful for the said Commissioners, acting under the said recited Act of the fourth year of the reign of His present Majesty as aforesaid, to enter into an agreement with the churchwarden or churchwardens for the time being of the parish wherein such Lammas Ground is situate, for the purpose of ascertaining and settling what sum of money shall be paid as or by way of compensation for the rights of common upon such land, and the sum so to be agreed upon shall be paid by the said parties to the said churchwarden or churchwardens,

churchwardens, and shall be by him or them applied for such general and public purposes within such parish, as a vestry of such parish, to be conveyed by such churchwarden or churchwardens, for that purpose, shall direct.

- 5 And be it further Enacted, That where the Commissioners acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, shall have purchased or shall be possessed of any pieces of ground not wanted for the purposes of this Act, it shall and may be lawful for the said Commissioners, or any Five or more of them, to sell and dispose of the same: Provided always, That the said Commissioners before they shall sell and dispose of any such piece or pieces of ground not wanted for the purposes aforesaid, to any other persons or person, shall first offer the same to the owner or proprietor of the lands adjacent thereto; and if such owner or proprietor shall then and thereupon refuse or shall not agree, (except with respect to or on account of the price thereof,) to purchase the same respectively, on an affidavit being sworn before a Master, or a Master extraordinary in Chancery, or before one of His Majesty's Justices of the peace for the county liberty or place where such ground is situate, (who are hereby respectively empowered to take such affidavit,) by some person or persons no way interested in the said piece or pieces of ground, stating that such offer was made by or on behalf of the said Commissioners, and that such offer was then and thereupon refused or was not agreed to by the owner or proprietor to whom the same was made, such affidavit shall in all courts whatsoever, be sufficient proof and evidence that such offer was made and was refused, or not agreed to by the owner or proprietor to whom such offer was made (as the case may be), and in case such owner or proprietor respectively, shall be desirous of purchasing such piece or pieces of ground, and he she or they, and the said Commissioners, shall differ and not agree with respect to the price thereof, then the price or prices thereof shall be ascertained by a jury in the manner hereinbefore directed with respect to disputed value of premises to be taken and used by the said Commissioners, and the expense of hearing and determining such difference shall be borne and paid in manner hereinbefore directed with respect to purchases made by the said Commissioners; and the money to arise by the sale or sales of such piece or pieces of ground, shall be applied by the said Commissioners towards the purposes of this Act, but the purchaser or purchasers thereof shall not be answerable or accountable for any misapplication or non-application of such money, and no conveyance of such piece or pieces of ground to the purchaser or respective purchasers thereof shall be necessary, but the receipt or receipts of the Commissioners for the time being acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, or any Five of them, for such purchase money or purchase moneys, shall vest the fee simple and inheritance of such piece or pieces of ground in the purchasers thereof,

Power to the Commissioners of selling Land not wanted.

thereof, and shall be deemed equivalent to a formal conveyance thereof.

Commissioners required to make Contracts for making the Improvements.

And be it further Enacted, That the said Commissioners, acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, shall and may and they are hereby empowered and required to make such contracts and agreements as they shall think proper, with skilful persons and their sureties, for the carrying on, making and completing of the alterations and improvements hereinbefore mentioned, and to appoint such person or persons as they shall think proper, who shall from time to time, under such regulations as the said Commissioners shall direct, draw for the necessary sums to defray the expenses thereof, and all the said alterations and improvements hereinbefore directed to be made and completed on the said Roads, shall be done by contract, and in no other way whatsoever.

Contract to be submitted to a committee of the Trustees of the Road.

Provided always, and be it further Enacted, That a copy of every such contract, and the terms thereof, shall, previous to the same being signed and concluded, be submitted by the said Commissioners acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, to a committee of not exceeding Five in number of the trustees or commissioners within whose limits or districts the work specified in such contract is to be performed, which committee such trustees and commissioners are hereby respectively empowered and required to elect and appoint.

New Roads to be required by the Commissioners of 4 Geo. IV. for two years, and then to become part of Old Road.

And be it further Enacted, That every new piece of Road which shall be made under the provisions hereinbefore contained, except the new piece of Road between *Wetley Bridge and Allesley*, which is otherwise provided for by this Act, shall be opened to the public as soon as the same shall be completed; and shall for the period of two years after the same shall have been completed and opened to the public, be repaired maintained and supported by and under the care and superintendence of the said Commissioners, acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty; and after the expiration of the said period of two years every such new piece of Road, except as aforesaid, shall be deemed and taken to be and shall become, to all intents and purposes, a part of that Road to which the said old Road, or part of a Road, in lieu of or for the improvement of which such new piece of Road shall have been made, did belong before the making of such new piece of Road, and shall be vested in the trustees or commissioners in whom such old Road, or part of a Road, shall have been vested, and shall be maintained and repaired by them, and shall be subject to all such trusts, and to all such Acts of Parliament, and to all such provisions contained in any Act or Acts of Parliament, as such old Road, or part of a Road, shall have been subject

subject to immediately before the expiration of the said period of two years.

And be it further Enacted, That it shall and may be lawful for the said trustees of *Saint Albans* trust, and they are hereby authorized and required, when and as soon as the said new Road, commencing at *Barnet*, and extending from thence to *South Mims*, shall be completed and opened to the public, to cause a tollgate or bar and sidegates, with tollhouses, to be erected and set up on or by the side of such part of parts of the said last-mentioned new Road, as to them shall be most convenient; and it shall and may be lawful for the said last-mentioned trustees, and they are hereby authorized empowered and required, when and as soon as such tollgate and bar and sidegates, and tollhouses, shall be completed, to take demand and collect of the person or persons attending any horses cattle or carriages, passing along the last-mentioned new Road, and through the said tollgate or bar or sidegates, before any horse, beast, cattle or carriage shall be permitted to pass through the same, the Tolls following; that is to say,

Power to the Trustees of *Saint Albans* Trust to take Tolls.

FOR every horse, mule or other cattle drawing any coach, landau, hearse, chariot, gig, waggon, cart or other carriage of any description, any sum not exceeding the sum of

For every horse, mule or ass, laden or unladen, and not drawing, any sum or sums not exceeding the sum of

Provided always, That no more than one toll shall be demanded or taken from any person or persons for passing and repassing on the same day, to be computed from of the clock at night to of the clock of the next succeeding night, with the same horse, beast and carriage, through the tollgate or turnpike to be erected by virtue of this Act upon the said last-mentioned new Road (save and except from stage-coaches and caravans travelling for hire), which shall pay each and every time of passing along the said Road.

Tolls to be paid but once a day, except for Stage Coaches and Caravans.

And be it further Enacted, That the said trustees of the *Saint Albans* trust shall apply and dispose of the tolls to be collected by them in the said new line of Road, commencing at *Barnet*, and extending from thence to *South Mims*, under the authority of this Act, in manner following; that is to say, one fourth part of the amount of the said tolls shall be applied in repairing and maintaining the said last mentioned new Road, and of the other Roads within the *Saint Albans* trust, and all the rest, residue and remainder of the amount of the said last mentioned tolls, after deducting the expenses of collecting and receiving the same, shall be annually accounted for and paid over by the said trustees of the *Saint Albans* trust, to the Commissioners acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty.

Application of the Tolls collected by the *Saint Albans* Trust in the New Line of Road.

Majesty, until the amount of the sum or sums to be advanced under the provisions of this Act, and applied in completing and repairing the said last mentioned new piece of Road, together with interest for the same, after the rate of per centum per annum, to be computed on the said sum or sums from the time of advancing the same, shall have been paid off and discharged, the said interest of

per centum per annum, on so much of the said principal sum or sums so to be advanced as aforesaid as shall from time to time remain due, to be in the first place paid; and the balance which shall from time to time arise from the said tolls, shall be applied so far as the same may extend in discharge of the said principal sum or sums so to be advanced as aforesaid; and when and as soon as the said principal money, together with the interest thereon, shall be fully paid off and discharged, the said trustees of the *Saint Albans* trust shall and they are hereby authorized and required to reduce the said tolls to one half part of the amount heretofore directed to be taken and collected by them; and from thenceforth the said trustees shall collect and receive such reduced tolls, and after paying the expenses of collecting and receiving the same, shall lay out and apply the residue thereof in and towards the future repairs and maintenance of the whole line of Road, extending from the town of *Barnet* to a certain place beyond *Saint Albans* called the *Pond Yards*.

Tolls may be levied on the new line of Road as other Tolls.

And be it further Enacted, That all the said tolls hereby authorized to be taken collected and received by the said trustees of the *Saint Albans* trust on the said new Road, commencing at *Barnet*, and extending to *South Mims* as aforesaid, shall and may be demanded, taken, collected and recovered by the said trustees, by and under all such and the like powers, authorities, provisions and remedies, as the tolls now are demanded, taken, collected and recovered on the Road now under the management of the said trustees; and all and every Act of Parliament, and all clauses, exemptions, penalties, forfeitures and provisions relating to the said last mentioned Road, and to the tolls taken thereon, shall be in full force operation and effect, as far as the same severally apply with respect to the said new Road, and the tolls hereby authorized to be taken thereon, shall be exercised and put in force by the said trustees of the *Saint Albans* trust, as fully and effectually as if the same were repeated and enacted in and by this Act, with relation to the said new Road, and the Tolls hereby authorized to be collected thereon.

The new Tolls may be taken by the Trustees of *St Albans* Trust (with consent of the Commissioners of 4 Geo. IV. at

Provided, and it is hereby further Enacted, That it shall and may be lawful to and for the trustees of the *Saint Albans* trust, and they are hereby authorized and empowered, if they should think it expedient, by and with the consent and approbation of the said Commissioners, acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, to take, demand, recover and levy the said tolls

tolls hereby authorized to be taken collected and received by them on the said new Road, from *Barnet* to *South Mims*, at any other turnpike or gate in the line of Road within the *Saint Albans* trust, in lieu of collecting and receiving the same at the tollgate or bar and sidegates and toll-house, hereinbefore authorized to be erected and set up by them on such new Road as aforesaid; and such tolls shall and may be demanded, taken, collected and recovered by the said trustees, at such other turnpike or gate as aforesaid, by and under all such and the like powers, authorities, provisos and remedies as are hereinbefore given to them, for receiving collecting and recovering the same, at the said tollgate and bar and sidegates, hereinbefore authorized to be erected and set up by them as aforesaid.

any turnpike gate within the St. Albans Trust.

AND whereas, in consequence of the alterations hereinbefore authorized and directed to be made in the Road between *Barnet* and *South Mims*, as aforesaid, it will become necessary to remove the present tollgate at *South Mims*; BE it therefore Enacted, That it shall and may be lawful to and for the trustees of the *Saint Albans* trust, and they are hereby authorized and empowered, if they shall think it expedient so to do, by and with the consent and approbation of the said Commissioners acting in the execution of the said recited Act of the fourth year of the reign of his present Majesty, to take, demand, recover and levy, at the tollgate or bar and sidegates hereinbefore authorized to be erected and set up by them, on the new Road from *Barnet* to *South Mims* aforesaid, in addition to the new tolls hereinbefore authorized to be taken and collected at such gates, the old tolls now collected and taken by such trustees at the tollgate at *South Mims* aforesaid; or if necessary, the said trustees of the *Saint Albans* trust shall and they are hereby authorized and empowered to erect and set up a new tollgate or gates and sidegates, with tollhouses, on or by the side of such part or parts of the old Road, within the *Saint Albans* trust, as they shall think proper for that purpose, and to collect and receive at such last mentioned tollgate or gates and sidegates, the said tolls now collected and received by them at the gate at *South Mims* aforesaid.

Provided always, and be it further Enacted, That in case the old and new tolls shall be collected and received at the same gate, a separate and distinct account shall be kept by the trustees of the *Saint Albans* trust, of the new toll or tolls hereinbefore authorized and directed to be collected and received by them, in respect of the new line of Road between *Barnet* and *South Mims* aforesaid.

Separate Accounts to be taken of the old and new Tolls received at the same gate.

And be it further Enacted, That in case the trustees of the aforesaid *Saint Albans* trust, shall neglect or refuse for the space of days after the new Road from *Barnet* to *South Mims* as aforesaid shall be completed and opened to the public, to erect and set up the said tollgate or bar and toll-house, or to collect, demand and receive the said

In case of default of the St. Albans Trustees neglecting to collect the Tolls and pay over the same, Commissioners shall take possession of Gates, &c

311.

F

tolls,

tolls, according to the powers and directions of this Act, it shall and may be lawful for the said Commissioners acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, and they are hereby authorized and empowered to erect and set up the said toll-gate or bar and toll-house, and to appoint a toll collector, and to take, demand, recover and levy the said tolls hereinbefore authorized and required to be taken demanded and received on the said last mentioned new Road; and the said last-mentioned Commissioners shall continue in possession of the said toll-gate or bar and toll-house, and shall receive the said tolls, until the principal sum or sums to be advanced under the provisions of this Act, with interest thereon as aforesaid, shall be fully paid and satisfied; and the said last-mentioned Commissioners shall and may and they are hereby authorized and empowered to exercise and put in force all the powers, authorities, remedies and provisions which might be put in force by the last mentioned trustees, for the erecting the said toll-gate or bar and toll-house, and the demanding, receiving and recovering the said tolls; and in case the trustees of the *Saint Albans* trust shall neglect or refuse to account for or pay over to the said Commissioners acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, the tolls hereinbefore authorized and directed to be collected by the said trustees, under the authority of this Act, it shall and may be lawful for the said Commissioners to seize the toll-gate or bar and toll-house erected and set up by the said trustees so refusing or neglecting, and in like manner to collect demand and receive the tolls which those trustees might have collected, demanded and received.

Power to the
Commissioners of
4 Geo. IV. to
take Tolls.

And be it further Enacted, That it shall and may be lawful for the said Commissioners acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, and they are hereby authorized and required, when and as soon as the said new Road from *Witley Bridge* to the village of *Allenley* shall be completed and open to the public, to cause tollgates or bars and tollhouses to be erected and set up on or by the sides of such part or parts of the said last-mentioned new Road, as to them shall seem most convenient; and it shall and may be lawful for the said last-mentioned Commissioners, and they are hereby authorized, empowered and required, when and as soon as such tollgates or bars and tollhouses shall be completed, to take demand and collect, at each of such tollgates, of the person or persons attending any horses, cattle or carriages, passing along the last-mentioned new Road, and through the said tollgates or bars, before any horse, beast, cattle or carriage, shall be permitted to pass through either of such gates, the tolls following; that is to say,

For every horse, mule or other cattle, drawing any coach, landau, hearse, chariot, gig, waggon, cart or other carriage of any description, any sum not exceeding the sum of

For

For every horse, mule or ass, laden or unladen, and not drawing, any sum or sums not exceeding the sum of

For every drove of oxen, or other neat cattle, any sum not exceeding the sum of per score, and so in proportion for any greater or less number ;

For every drove of calves, hogs, sheep or lambs, any sum not exceeding the sum of per score, and so in proportion for any greater or less number.

And be it further Enacted, That no person who shall have paid any of such tolls, as are by this Act authorized to be taken on the said new piece of Road from *Witley Bridge* to the village of *Allesley* as aforesaid, for passing through any turnpike standing on the said road, or any part thereof, shall be subject to any toll for returning through such turnpike the same day, to be computed from of the clock at night to of the clock of the next succeeding night, for or in respect of the same horse or horses, beast or beasts, cattle or carriage or carriages, but shall return toll free, (except any coach, berlin, ludau, chariot, calash with four wheels, or caravan, or by what name soever such carriage or carriages now is, or are or hereafter may be called, or the horses drawing the same, that shall be kept or used by or for any person or persons, as a public stage-coach or stage-coaches, or stage-carriage or carriages, to and from different places,) on delivering a note or ticket to the collector of the tolls at such respective turnpikes, which note or ticket such collector is hereby required to deliver on payment of the toll, and which note or ticket shall specify the gates freed by such payment.

Provided always, and be it Enacted, That no horse or other beast, passing on the same day, to be computed as aforesaid, along the said last mentioned new Road, shall be charged or chargeable with, or liable to pay the tolls hereby granted at more than two toll gates.

And be it further Enacted, That the said Commissioners shall apply and dispose of the tolls to be collected by them in the said new line of Road, under the authority of this Act, in the manner following, that is to say ; so much of the amount of the said tolls, as shall not exceed per annum, per mile, shall be applied in repairing and maintaining the said last mentioned new Road ; and also all the rest residue and remainder of the amount of the said last-mentioned tolls, after deducting the expenses of collecting and receiving the same, shall be annually accounted for and paid over by the said Commissioners acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, into the receipt of His Majesty's Exchequer at Westminster, to the account of the consolidated fund, until the amount of the sum or sums to be advanced under the provisions of this Act, and applied in completing and repairing

Application of the Tolls collected by the Commissioners in the New Line of Road.

ing the said last mentioned new piece of Road, together with interest for the same, after the rate of per centum per annum, to be computed on the said sum or sums from the time of advancing the same, shall have been paid off and discharged, the said interest of per centum per annum, on so much of the said principal sum or sums so to be advanced as aforesaid, as shall from time to time remain due to be in the first place paid; and the balance which shall from time to time arise from the said tolls, shall be applied, as far as the same may extend, in discharge of the said principal sum or sums so to be advanced as aforesaid; and when the said principal money, together with the interest thereon, shall be fully paid off and discharged, the said Commissioners acting in the execution of the said Act of the fourth year of the reign of His present Majesty, shall and they are hereby authorized and required to reduce the said tolls, and from thenceforth to demand collect and receive so much toll as will produce sufficient to defray the expenses of collecting and receiving of such toll, and a sum not exceeding per mile per annum, to be laid out and applied by them, in the future repair and maintenance of the said new piece of Road.

Tolls may be levied in the New Line of Road in other Tolls.

And be it further Enacted, That all the said tolls hereby authorized to be taken collected and received by the said last-mentioned Commissioners, on the said new piece of Road between *Witley Bridge* and the Village of *Allesley* as aforesaid, shall and may be demanded, taken, collected and recovered by the said Commissioners, by and under all such and the like powers, authorities, provisions and remedies, as the tolls now are demanded, taken, collected and recovered on the Road now under the management of the trustees of the *Dunchurch and Stonebridge Road*; and all and every Act, and all clauses, exemptions, penalties, forfeitures and provisions relating to the said last-mentioned Road, and to the tolls taken thereon, shall be in full force operation and effect, as far as the same severally apply with respect to the said new Road, and the tolls hereby authorized to be taken thereon, and shall be exercised and put in force by the said Commissioners acting in the execution of the said Act of the fourth year of the reign of His present Majesty, as fully and effectually as if the same were repealed and re-enacted in and by this Act, with relation to the said new piece of Road, and the tolls hereby to be collected thereon.

The New Line of Road, and the Tolls to be levied thereon, to be transferred to the Trustees of the Dunchurch and Stonebridge Trust, as soon as the said £. and interest shall be paid off.

And be it further Enacted, That as soon as the sum or sums to be advanced under the provisions of this Act, and applied in completing and repairing the said new piece of Road from *Witley Bridge* to the Village of *Allesley*, as hereinbefore mentioned, together with interest for the same, after the rate of per centum per annum, as aforesaid, shall be fully paid off and discharged, the said Commissioners acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, shall and they are hereby authorized and

and empowered to make over the said new cut or piece of Road therein last before described, together with the tolls hereinbefore authorized and directed to be taken at the tollgates or bars to be erected thereon, as aforesaid, to the trustees of the *Dunchurch and Stone Bridge* trust, acting in the execution of an Act passed in the fifth year of the reign of His present Majesty King *George the Fourth*, intituled, "An Act for repairing the Road from *Dunchurch* to *Stone Bridge*, in the County of *Warwick*," if such trustees shall be willing to take the same, and the said Road shall from thenceforth be repaired maintained and supported, and the tolls thereof received and taken by such last-mentioned trustees, in the same manner and under the same powers authorities and provisions, as are hereinbefore expressed and contained concerning the same, or as are contained in any Act or Acts under which other parts of the Road under the care management and superintendence of such last-mentioned trustees are repaired maintained and supported.

And be it further Enacted, That it shall and may be lawful for the trustees of the *Stratford and Dunchurch* trust, and they are hereby authorized and required to continue the additional tolls by them imposed and raised, and now levied, for the purpose of paying off the sum of Five hundred pounds, advanced by the Commissioners for the issue of Exchequer Bills, on or about the twenty-sixth day of November, one thousand eight hundred and twenty-two, to the Commissioners for executing the said recited Act of the fifty-fifth year of the reign of his late Majesty King *George the Third*, and which has been duly paid or appropriated by the said last mentioned Commissioners to or for the said trustees of the *Stratford and Dunchurch* trust, and for which such trustees have or are about to execute a proper security to the said Commissioners for the issue of Exchequer Bills, in the manner directed by an Act passed in the third year of the reign of His present Majesty, intituled, "An Act for continuing and amending three Acts of his late Majesty, for repairing the Road from *Old Stratford*, in the County of *Northampton*, to *Dunchurch*, in the County of *Warwick*;" and all interest due and to become due thereon, until as well the said sum of Five hundred pounds so advanced, and all interest due and to become due thereon, as also the principal sum or sums to be paid by the said trustees of the *Stratford and Dunchurch* trust, to the Commissioners acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, as hereinafter directed, together with all interest thereon, shall be fully paid off and discharged.

Trustees of the Stratford and Dunchurch Trust to continue additional Tolls.

And be it further Enacted, That it shall and may be lawful for the trustees of the *Stratford and Dunchurch* trust, and they are hereby authorized and required, with and out of the said additional tolls, (subject and without prejudice to the payment of the said sum of

Trustees of Stratford and Dunchurch Trust to repay out of additional Tolls the same

advanced
under this
Act, for Im-
provements
between
Tower and Stone
Hills

five hundred pounds, and the interest thereof) to repay to the said Commissioners acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, the sum or sums to be advanced under the provisions of this Act, and applied in altering and improving the road between *Tower* and *Stone Hill*, and in repairing the same, as hereinbefore directed, together with interest at the rate of per centum per annum, to be computed from the time or respective times of the advancing thereof, on so much of the said last mentioned sum or sums as shall from time to time remain due and unpaid.

Trustees of
Wellington
District, to
continue
additional
Tolls.

And be it further Enacted, That it shall and may be lawful for the trustees of the *Wellington* district of the *Watling Street* Road, and they are hereby required to continue the additional tolls by them imposed and raised, and now levied, for the purpose of paying off the said sum of Five hundred pounds, which was advanced to them under the provisions of authority of the said recited Act, passed in the first and second years of the reign of His present Majesty, and all interest due or to become due on the said advance, until as well the said sum of Five hundred pounds so advanced, and all interest due or to become due thereon, as also the principal sum or sums to be paid by the said trustees of the *Wellington* district of the *Watling Street* Road to the said Commissioners, acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, as hereinafter directed, together with all interest thereon, shall be fully paid off and discharged.

Trustees of
Wellington
District to
repay, out of
additional
Tolls the
sums ad-
vanced under
this Act, for
Improvements
within
their district.

And be it further Enacted, That it shall and may be lawful for the trustees of the *Wellington* district of the *Watling-street* Road, and they are hereby authorized and required, with and out of the said additional tolls (but subject and without prejudice to the payment of the said sum of Five hundred pounds, and the interest thereof) to repay to the said Commissioners, acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, the sum or sums to be advanced under the provisions of this Act, and to be applied in lowering the said hill, called *Oversley Hill*, and repairing the new piece of Road which will be formed by lowering the same, together with interest at the rate of per centum per annum, to be computed from the time or respective times of the advancing thereof, on so much of the said last-mentioned sum or sums as shall from time to time remain due and unpaid.

Tolls to be
continued,
subject to
existing
powers and
provisions,
with powers

And be it further Enacted, That the several additional tolls which are and which are to be continued to be levied and raised by the trustees of the *Stratford* and *Dan church* trust, and the trustees of the *Wellington* district of the *Watling Street* Road, as hereinbefore is directed, shall,

shall, during the time that they are hereby required to be, continued be levied and raised, and to be accounted for and paid over in the manner and under the powers and provisions of the said hereinbefore mentioned Act of the third year of the reign of His present Majesty, for repairing the Road from Old Stratford, in the county of Northampton to Dunchurch, in the county of Warwick, and the said recited Act of the first and second years of the reign of His present Majesty; and in case the said trustees of the Stratford and Dunchurch trust, and the said trustees of the Wellington district of the Watling Street Road, or any or either of them, shall refuse or neglect to continue the said additional tolls, or shall lower the same, or shall make default in payment of the sum or sums to be paid by them, as hereinbefore directed, or the interest thereof, before the same sums, and the interest thereof, shall be fully paid off and discharged, it shall and may be lawful for the said Commissioners acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, to enter upon and take possession of the tollgates, bars and tollhouses of the trustees making default, and to collect, take, receive and recover the tolls arising on the Road under the care of the trustees making default, and to pay over the same in manner directed by the said Act of the first and second year of the reign of His present Majesty, and by this Act, and to execute all the powers, provisions and authorities in and by the said Act of the third year of the reign of His present Majesty, and the first and second year of the reign of His present Majesty, in such case given, as fully and effectually as if the same were repeated and re-enacted in and by this Act.

for Commissioners of a Clse IV. to take possession of Tollgates in case of default.

And be it further Enacted, That so much of the said recited Act of the fourth year of the reign of His present Majesty, as authorizes and requires the trustees of the Saint Albans trust, when and so soon as the said new Road, commencing at or near the Peasen Ins, shall be completed and open to the public, to receive and take the following Tolls, *viz* *videlicet* :

When the New Road at St. Albans is completed, the following Tolls to be taken.

FOR every drove of oxen, or other neat cattle, any sum not exceeding the sum of per score, and so in proportion for any greater or less number :

And for every drove of calves, hogs, sheep or lambs, any sum not exceeding the sum of per score, and so in proportion for any greater or less number,

Shall be and the same is hereby Repealed.

And be it further Enacted, That from and immediately after the the tolls directed to be received and taken by the trustees of the Saint Albans trust, in and by the said recited Act of the fourth year of the reign of His present Majesty, in respect of the

The Tolls to be taken by the Trustees of the St. Albans Trust, under the 4 Geo. IV. to be repealed.

said new Road, commencing at or near the *Peakes Inn*, as aforesaid, (except such as are hereinbefore directed to cease), shall be increased to the amount thereof, and the said trustees are hereby authorized and required to exercise the powers given to them by the said recited Act of the fourth year of the reign of His present Majesty, for increasing the said tolls accordingly, provided that no more than one moiety or half part of such increased tolls, shall be taken collected and received by the said trustees of the *Saint Albans* trust, at the side gate on the new branch Road leading to *Kingsbury*.

Trustees of
St. Albans
Trust to con-
tinue addi-
tional Tolls.

And be it further Enacted, That it shall and may be lawful to the trustees of the *Saint Albans* trust, and they are hereby required to continue the additional tolls, by them hereinbefore directed to be imposed and raised, until as well the sum of Ten thousand pounds, directed to be paid by them in and by the said recited Act of the sixth year of the reign of His present Majesty, and the sum of Four thousand pounds, which was advanced to them under the provisions and authority of the said last mentioned Act, as also the principal sum or sums to be paid by the said trustees of the *Saint Albans* trust to the said Commissioners acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, as hereinafter directed, together with all interest thereon respectively, shall be fully paid off and discharged.

Trustees of
St. Albans
Trust to re-
pay, out of
additional
Tolls, the
sums ad-
vanced under
this Act for
repaving the
Road from
the *Peakes
Inn*, and in
making the
Branch Road
from *Kings-
bury Lane*.

And be it further Enacted, That it shall and may be lawful for the trustees of the *Saint Albans* trust, and they are hereby authorized and required, with and out of the said tolls to be received, taken and collected by them as aforesaid, but subject, and without prejudice, to the payment of the said several sums of Ten thousand pounds, and Four thousand pounds, and the interest thereof respectively, to repay to the Commissioners acting in the execution of the said recited Act of the fourth year of the reign of His present Majesty, the sum or sums to be advanced under the provisions of this Act, and applied in completing and repairing the said new piece of road from the *Peakes Inn*, at *Saint Albans* aforesaid, and in making a new branch or communication road, in lieu of *Kingsbury Lane*, as hereinbefore mentioned, together with interest, at the rate of per centum per annum, to be computed from the time or respective times of the advancing thereof, or so much of the said last mentioned sum or sums as shall from time to time remain due and unpaid.

For stopping
up old piece
of Road at
*Hemel Hemp-
stead*.

AND whereas the said new cut or piece of Road, commencing at or near the *Peakes Inn*, in *Saint Albans* aforesaid, to the *Post Ford*, hath been some time since open to the Public; BE it therefore Enacted, That the present turnpike road from the road to *Hemel Hempstead*, at *Saint Michaels*, to the junction of the present turnpike Road with the said new cut or piece of Road at or near the *Post Ford* aforesaid, shall from

from and after the
stopped up

now next ensuing, be

And be it further Enacted, That the trustees of the *Saint Albans* Road, shall from and immediately after the be and they are hereby discharged and freed from the future repairs and support of the whole piece of Road extending from *Hadley Pillar*, in the Parish of *Hadley*, to the junction of the same with the new Road, from the town of *Barnet*, east of *South Mims*, and the said Road shall from henceforth cease, and be no longer continued as a turnpike road.

Trustees of
Saint Albans
Trust dis-
charged from
the future
repair of Old
Road from
Hadley Pillar
to the junc-
tion of same
with New
Road.

And be it further Enacted, That the several sums of money to be from time to time paid by the trustees of the *Saint Albans* trust, the trustees of the *Stratford* and *Dunchurch* trust, the trustees of the *Wellington* district of the *Watling Street* Road, and the Commissioners acting in the execution of the said recited Act of the fifty-ninth year of his late Majesty King *George* the Third, under the provisions hereinbefore contained, to the said Commissioners acting in execution of the said recited Act of the fourth year of the reign of His present Majesty, in repayment of the money to be advanced, pursuant to the provisions of this Act, and the interest thereof, shall be paid by them, the said last mentioned Commissioners, into the Exchequer, to the account of the consolidated fund, and that the receipts of the said last mentioned Commissioners, or any three of them, for any sums of money to be so paid to them, shall be sufficient discharges to the trustees and Commissioners by whom the same shall be paid, and shall protect them from being bound to see to the application thereof, or from being answerable for the misapplication or non-application thereof.

Application
of the Money
paid by the
Saint Albans
and other
Trust to the
Consoli-
dation.

And be it further Enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such, by all Judges, Justices and others, without being specially pleaded.

Public Act.

B I L L

For further extending the Powers of an Act for vesting in Commissioners the Bridges building over the Merril Shroofs and the River Conway, and the Harbours of *Harth* and *Heylebeck*, and the Road from *Dublin* to *Heath*, and for the further Improvement of the Road from *London* to *Heylebeck*.

Ordered by The House of Commons to be Printed
25 April 1826.
